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**AUG 3 0 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Richard O. Glasson :  
Application No. 10/722,789 : **ON PETITION**  
Filed: November 26, 2003 :  
Attorney Docket No. CPI 3 Con :

This is a decision on the petition under 37 CFR 1.137(b), filed on April 10, 2006, to revive the above-identified application.

The application became abandoned for failure to timely respond to the final Office action mailed August 3, 2005. A Notice of Abandonment was mailed on March 8, 2006.


The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) under 37 CFR 1.114, with the \$395 filing fee and an amendment; (2) the petition fee of \$750; and (3) an adequate statement of unintentional delay. Therefore, the petition is **GRANTED**.

The Office also acknowledges receipt of a request for Suspension of Action under 37 CFR 1.103(c), an Information Disclosure Statement (IDS) and a five (5) months extension of time filed on April 10, 2006. However, an extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$570 extension of time was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

This application is being revived for consideration of the RCE.

The application file is being referred to Technology Center Art Unit 3745.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3726.

  
Andrea Smith  
Petitions Examiner  
Office of Petitions